

FILED

Oct 13 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12
13 UNITED STATES OF AMERICA,) NO. CR 20-71012-MAG (NMC)
14 Plaintiff,)
15 v.) STIPULATION TO CONTINUE AND EXCLUDE
16 AMANDA CHRISTINE RILEY,) TIME FROM OCTOBER 15, 2020, TO
17 Defendant.) NOVEMBER 19, 2020, AND ORDER
18)
19)
20)
21)
22)

It is hereby stipulated by and between counsel for the United States and counsel for the defendant Amanda Christine Riley that the parties' October 15, 2020 appearance be continued to November 19, 2020, and that time be extended under Federal Rule of Criminal Procedure 5.1 and excluded under the Speedy Trial Act from October 15, 2020 through November 19, 2020.

At the initial appearance on August 27, 2020, the government and counsel for the defendant agreed that time be extended under Federal Rule of Criminal Procedure 5.1(d) and excluded under the Speedy Trial Act through October 15, 2020, so that defense counsel could continue to prepare, including by reviewing discovery. The government has produced over 22,000 pages of discovery, including audio and video files. Counsel for the defendant is continuing to review the already produced discovery, is conducting defense investigation, and will produce reciprocal discovery. In addition, the parties are

STIPULATION TO EXCLUDE TIME AND ORDER
CASE NO. CR 20-71012-MAG (NMC)

1 attempting to reach a pre-indictment resolution to the case, which will require further investigation and
2 further exchange and review of discovery.

3 For these reasons, the parties stipulate and agree that the October 15, 2020 appearance be
4 continued to November 19, 2020. Extending and excluding time until November 19, 2020 will allow for
5 the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate
6 and agree that the ends of justice served by extending and excluding the time from October 15, 2020
7 through November 19, 2020 from computation under the Speedy Trial Act outweigh the best interests of
8 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(b) and (h)(7)(A), (B)(iv).

9 The undersigned Assistant United States Attorney certifies that he has obtained approval from
10 counsel for the defendant to file this stipulation and proposed order.

11 IT IS SO STIPULATED.

13 DATED: October 9, 2020

14 _____/s/
SCOTT SIMEON
Assistant United States Attorney

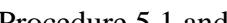
15 DATED: October 9, 2020

16 _____/s/
RABIN NABIZADEH
Counsel for Defendant

ORDER

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court finds that failing to extend time for preliminary hearing or indictment under Federal Rule of
4 Criminal Procedure 5.1 and failing to exclude time under the Speedy Trial Act from October 15, 2020
5 through November 19, 2020 would unreasonably deny defense counsel and the defendant the reasonable
6 time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
7 § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from
8 October 15, 2020 to November 19, 2020 from computation under the Speedy Trial Act outweigh the
9 best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the
10 parties,

IT IS HEREBY ORDERED that the hearing scheduled for October 15, 2020, shall be continued to November 19, 2020, for a status conference.

13 IT IS FURTHER ORDERED that the time from October 15, 2020 through November 19, 2020
14 shall be excluded from computation under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial
15 Act, 18 U.S.C. § 3161(b) and (h)(7)(A), (B)(iv).


16 IT IS SO ORDERED.

18 | DATED: October 13, 2020

